

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
SUBDIVISION REPORT # FPP-22-14
KNOLL SUBDIVISION NO. 2
FEBRUARY 15, 2022

I. GENERAL INFORMATION

A. Project Description

The proposal is for preliminary plat approval of a four-lot residential subdivision. The property will be served by individual septic systems and a multi-user water system. The property is located at 15 Wildman Way in Kalispell, MT.

B. Project Personnel

i. Owner/Applicant

Steven & Patricia Knoll
15 Wildman Way
Kalispell, MT 59901

ii. Tech. Representative

Sands Surveying
2 Village Loop
Kalispell, MT 59901

C. Application Review Dates

1. Land Use Advisory Committee/Council

The proposal is not located within the jurisdiction of a Land Use Advisory Committee.

2. Planning Board

The Flathead County Planning Board will hold a public hearing on the proposed subdivision on March 9, 2022 at 6:00 P.M. in the Second Floor Conference Room of the South Campus Building located at 40 11th Street West in Kalispell, MT. A recommendation from the Planning Board will be forwarded to the Flathead County Board of Commissioners for their consideration.

3. Commission

The Flathead County Board of Commissioners will review this proposal after the public hearing conducted by the Planning Board and prior to March 28, 2022 which is the end of the 60-working day statutory review period.

II. ADMINISTRATIVE CHARACTERISTICS

A. Legal Description and Detailed Location of Subject Property

The subject property is 19.37 acres in size and is located at 15 Wildman Way in Kalispell, Montana. The property can legally be described as Lot 3 of Knoll Subdivision in Section 6, Township 28 North, Range 20 West, P.M.M Flathead County, MT.

Figure 1: Aerial of subject property outlined in yellow



B. Subdivision Layout Detail

1. Total Subdivision Acreage:	19.37 acres
2. Acreage in Lots:	19.37 acres
3. Acreage in Roads:	0.00 acres
4. Total Park/Common Area/Open Space Acreage:	0.00 acres
5. Minimum Lot Size:	0.85 acres
6. Maximum Lot Size:	16.82 acres
7. Density:	1 lot per 4.84 acres

C. Current Land Use and Zoning

The subject property is not zoned, currently contains a house, shop and silos and is also currently being used agriculturally. The existing structures are to be located on the proposed Lot 4.

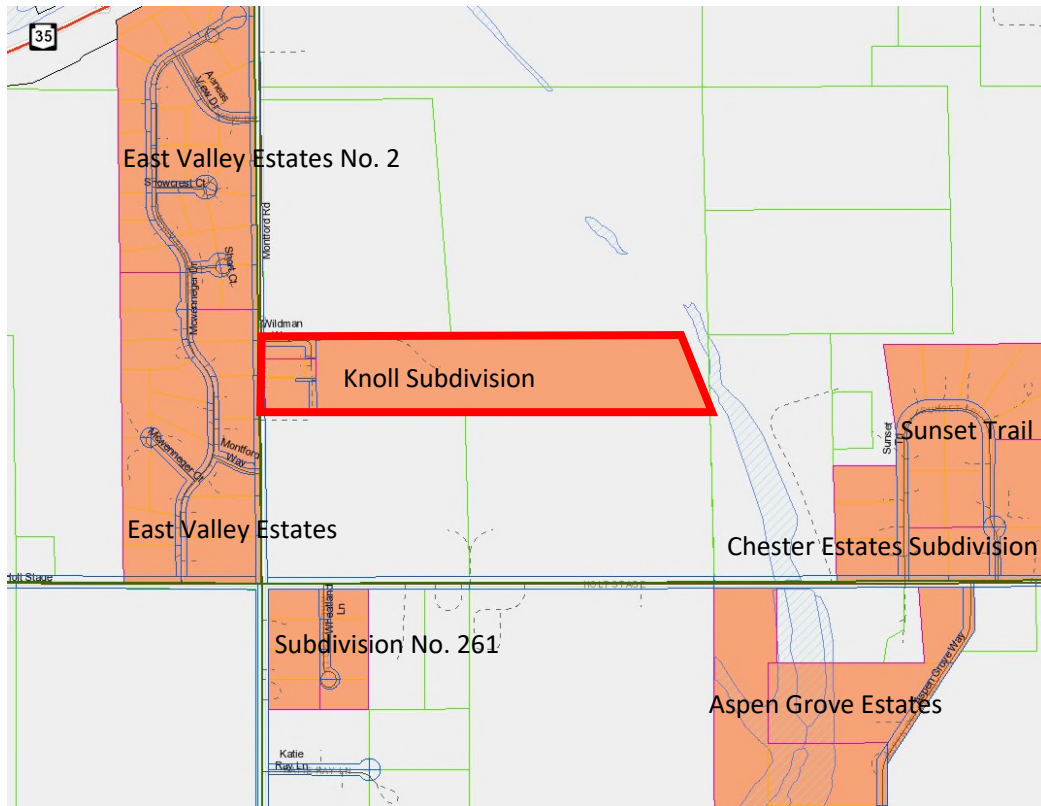
D. Proposed Land Use

The proposed subdivision would create 4 residential lots. The applicant is not proposing common area/open space and will utilize an existing private road via Wildman Way for access.

E. Previously Considered Subdivisions in Area

Subdivision Name (year approved)	Type	Total Lots	Average Lot Size
Knoll Subdivision (2020)	Residential	4	5.50 acres
East Valley Estates (2005)	Residential	17	1.56 acres
East Valley Estates No. 2 (2009)	Residential	28	1.03 acres
Subdivision No. 261 (2006)	Residential	4	1.01 acres
Aspen Grove Estates (2002)	Residential	4	5.26 acres
Sunset Trail (2006)	Residential	12	1.75 acres
Chester Estates Subdivision (2004)	Residential	5	2.53 acres

Figure 3 - Area subdivisions, subject property outlined in red



F. Utilities and Services

1. **Wastewater:** Individual
2. **Water:** Multi-user
3. **Electricity** Flathead Electric Cooperative
4. **Natural Gas** Northwestern Energy
5. **Solid Waste** Contract Haul
6. **Schools:** Fair-Mont-Egan School District & Flathead High School District
7. **Fire:** Creston Fire District
8. **Police:** Flathead County Sheriff

III. COMMENTS RECEIVED

A. Agency Comments

1. Referrals were sent to the following agencies on January 25, 2022:
 - Flathead County Solid Waste
 - Flathead City-County Health Department
 - Flathead County Road & Bridge Department
 - Creston Fire Department
 - MT Fish, Wildlife, & Parks
 - Flathead County Weeds & Parks Department
 - Flathead County Address Coordinator
 - Flathead County Conservation District
 - BPA
 - DEQ
 - DNRC
 - Flathead County Sheriff
 - Fair-Mont-Egan School District
 - Flathead High School District
2. The following is a summarized list of agency comment received as of the date of the completion of this staff report:
 - Flathead County Road & Bridge Department
 - Comment: “At this point the County Road Department does not have any comment on this request.”
 - Flathead City-County Environmental Health Department
 - Comment: “The proposed subdivision is subject to review under the Sanitation in Subdivisions, Title 76-4, Part 1, MCA. This review will address water supply, wastewater, stormwater drainage and solid waste disposal.”
 - “This project is not located within the Kalispell Air Pollution Control District as designated in Flathead Air Pollution Control Regulations. However, fugitive dust must be controlled during development.”
 - BPA
 - Comment: “At this time, BPA does not object to this request, as the property is located approximately .76 miles away from the nearest BPA transmission Lines or structures.”
 - Creston Fire Department
 - Comment: “[...] Mr. Knoll has offered a location along his driveway, near a recently drilled well, for the installation of a 10,000+ gallon tank and 500 gpm pump with fire department riser/hydrant with (2) ball valve controlled 2.5’ NH fire hose hook-ups. The existing well will supply the tank with a keep full monitoring system (float) in place which will keep the tank topped off [...] As part of the agreement the cul-de-sac for turnaround must be constructed in such a way to accommodate and support large apparatus weighing up to 50,000+ pounds. Other considerations for the development(s) is road signage and address labeling for each home that is readable at night from the roadway.”

B. Public Comments

In accordance with Section 4.0.14 Flathead County Subdivision Regulations (FCSR), adjacent property notification was mailed to neighboring property owners within 150 feet of the proposed subdivision on February 16, 2022, legal notice was published in the Daily Interlake on February 20, 2022 and notice of the proposal and public hearing was physically posted onsite on December 30, 2022.

As of the date of the completion of this staff report, no public comments have been received from the general public regarding the proposal. Any written comments received following the completion of this report will be provided to members of the Planning Board and Board of Commissioners and summarized during the public hearing.

IV. LOCAL GOVERNMENT REVIEW

A. Review Criteria

Findings in this portion of the report are applicable to the impacts of the proposed subdivision on the review criteria listed in Section 76-3-608(3) MCA and the review procedure outlined in Section 4.1 of the Flathead County Subdivision Regulations (FCSR), effective December 3, 2018.

1. Agriculture and Agricultural Water User Facilities

According to the Environmental Assessment, the subject property is currently being utilized for agricultural production.

Properties within the vicinity have been historically and are currently being used for agriculture. The Environmental Assessment states, “The subject and neighboring properties to the east, south and north are currently in agricultural production. Mr. Knoll will continue commercial agricultural operations on his remaining lands. The properties to the north, east, west are still large agricultural holdings. The proposed subdivision should have minimal impact on the neighboring agriculture.”

There are no shared agricultural water works, canals, irrigation ditches, or pump houses on the property. The property is not located within an agricultural water district or area.

Finding #1 – The proposed subdivision would have minimal impact on agriculture and agricultural water user facilities because a majority of Lot 4 could still be utilized for agricultural purposes, and does not include, impede or alter access to or movement of agricultural water facilities.

2. Local Services

a. Water and Wastewater Services

The application indicates, “Water for domestic and irrigation will be provided by a multi-user water system. Based on an average domestic demand of 250 gallons per day (gpd) per lot, a total of 750 gpd will be used to meet the average daily demand. This is equal to 0.84 ac-feet/year for the entire subdivision.”

“The subdivision will utilize individual septic systems for treatment of wastewater. The property was previously reviewed by DEQ and the septic system was approved by the MDEQ for Lot 1A, 1B, and 2 in Knoll Subdivision Phase 1.

Based on a total of three single family lots, the average gallons of sewer effluent will be 1050 gpd for the entire subdivision (350 gpd/home). The soils on-site are

suitable for disposal of effluent and will be reviewed by DEQ prior to filing of the final plat.”

Comments from the Environmental Health office state, “The proposed subdivision is subject to review under the Sanitation in Subdivisions, Title 76-4, Part 1, MCA. This review will address water supply, wastewater, stormwater drainage and solid waste disposal.”

Finding #2 – The subdivision will have minimal impact on water and wastewater because the subdivision will utilize a multi-user water system and individual septic systems and will be required to be reviewed and permitted by the Montana Department of Environmental Quality.

b. Solid Waste Disposal

Pursuant to Section 4.7.22 FCSR, the applicant should be required to meet the requirements of the Flathead County Solid Waste District. The Flathead County Solid Waste Department did not provide comment on this proposal.

The application states, “The subdivision will use a contract hauler for refuse collection and hauling. The landfill is located along U.S. Highway 93 about 14 miles northwest of the subject property.”

Finding # 3 – Impacts on solid waste disposal would be acceptable with standard conditions because the lots within the proposed subdivision would utilize contract haul services for solid waste management.

c. Roads

As shown on the preliminary plat, primary access to all the lots will be from Wildman Way via Montford Road. Wildman Way is a two-lane paved, private road within a 60-foot easement. This internal subdivision road already exists as Wildman Way was already developed for the previous subdivision.

According to the Environmental Assessment, the proposal is likely to generate 30 additional average daily trips (ADT). Because Wildman Way is a private road no traffic counts exist. There are 4 homes located on Wildman Way which would equate to approximately 40 ADT. The road loops around to Montford Road so traffic can travel in both directions, and it is likely that roughly half the traffic heads north to Highway 35. Therefore, the applicant estimates the total traffic for the count of 624 ADT in front of the subdivision. The proposed subdivision has the potential to increase traffic by approximately 4.7%. No off-site improvements will be required as the property is located on a paved road.

Finding #4 – Impacts on area roads would appear to be acceptable because the proposal will generate 30 additional trips, Wildman Way is a paved road, and the internal subdivision road already exists and is constructed to Flathead County Road and Bridge Department standards.

d. Schools

According to census data for Flathead County, the average household size is 2.55 persons and approximately 16.1% of the population is between the ages of 5-18 years so each household would have approximately 0.41 school age children. The

proposal has the potential to generate 3 additional dwellings and therefore could generate approximately 1 school age child.

The property is located in the Fair-Mont-Egan School District and Flathead High School District. Neither school district provided comments regarding this proposal. The number of students generated by this proposal will likely be able to be served without introducing significant impacts to the school districts.

e. Mail Delivery

The applicant states the subdivision will utilize a cluster box. The developer will be required to submit plans for review and written approval from the local postmaster as a condition of preliminary plat approval.

f. Recreation

Pursuant to Section 4.7.24 FCSR, parkland dedication is required for major subdivisions with lots that will be less than five gross acres in size. The subdivision would result in four lots, three of which would be larger than one-half of an acre but not larger than one acre. The fourth lot is greater than five acres in size making it exempt from the calculation. According to the application, cash-in-lieu is proposed to meet the parkland dedication requirements. Lots 1, 2, and 3 would have a gross area of 2.55 acres. According to the parkland dedication requirement formula, the developer would be required to provide cash-in-lieu equal to fair-market value of 7.5% of the 2.55 acres, totaling 0.19 acres. An appraisal from a Certified General Appraiser (CGA) dated no more than 6 months prior to the final plat submittal will be required to establish the parkland dedication value.

The subdivision offers many recreation opportunities given its proximity to Glacier National Park and National Forest lands for hiking, camping, and hunting, and area lakes and rivers for swimming, fishing, and boating.

The Flathead County Trails Plan does not designate Wildman Way as a bicycle and pedestrian path.

Finding #5 – Impacts on local services with regard to schools, recreation and mail delivery would appear to be acceptable as the proposed subdivision would add approximately three additional lots, the applicant is proposing to utilize a cluster box, cash-in-lieu of parkland dedication will be required prior to final plat approval, and no pedestrian and bicycle path easements will be required.

3. Public Health and Safety

a. Storm Water Drainage

The applicant is proposing to utilize detention basins for the proposed subdivision. The soil on the property is well drained which will add in on-site absorption of storm water.

The Environmental Assessment states, “The proposed subdivision is not located within a groundwater recharge area. Any of the probable impacts to ground water quality are associated with the on-site wastewater systems proposed or the stormwater drainage system [...] the drainfields qualify as a category of activity that does not cause significant degradation to state waters. This means the drainfields have been recognized as a source of pollution that will not hurt the

environment. The stormwater management system is also designed to the MDEQ standards using one shallow on-site detention basin per lot. According to the stormwater management plan. The proposed subdivision will be able to retain the 2-year design storm.”

Finding #6 – Impacts from storm water run-off will be acceptable because the existing soils are well drained, and the proposed storm drainage calculation and retention areas appear to meet or exceed DEQ requirements.

b. Fire/Emergency Medical Services

The site is located within the Creston Fire District. The nearest fire department is approximately 4.6 miles away. Based on the location of the property in proximity to the fire station and local fire district, response times are anticipated to be minimal.

Comments from the Creston Fire Department state, “[...] Mr. Knoll has offered a location along his driveway, near a recently drilled well, for the installation of a 10,000+ gallon tank and 500 gpm pump with fire department riser/hydrant with (2) ball valve controlled 2.5’ NH fire hose hook-ups. The existing well will supply the tank with a keep full monitoring system (float) in place which will keep the tank topped off [...] As part of the agreement the cul-de-sac for turnaround must be constructed in such a way to accommodate and support large apparatus weighing up to 50,000+ pounds. Other considerations for the development(s) is road signage and address labeling for each home that is readable at night from the roadway.”

According to the applicant the subdivision access will be designed to County Standards as requested by the Fire Chief, stating, “The Creston Fire District was contacted regarding the subdivision. The Fire Chief has requested a 10,000 gallon tanker recharge system near the recently drilled well. The developer has agreed to develop the tanker recharge system.”

The property is located within the Wildland Urban Interface (WUI) however, the property is not currently within County Wide or Fire District Priority Area. The property contains some trees in the middle of Lot 4 but is otherwise open.

Finding #7 - Impacts on fire and medical services would be minimal because the property is mostly open with a few trees located in the center of the lot, and the property is served by the Creston Fire Department.

c. Police Services

The proposed subdivision is located in a rural area of Flathead County and will be served by the Flathead County Sheriff’s Department. The combination of existing staff levels, shift rotations, size of the county, the dispersed nature of the population, and the property’s relative distance from the Flathead County Sheriff’s Office in Kalispell may lead to delayed response times in the event of an emergency.

Finding #8 – Impacts on police services would be minimal with standard conditions as the subject property will be served by the Flathead County Sheriff’s Department.

d. Impact of Noise

While some noise and vibration will probably result from development, these impacts will be limited in duration and should not negatively impact the surrounding area. No noise beyond what is typical for a residential area is anticipated as a result of the proposed subdivision. The proposed residential use is not anticipated to generate permanent continuous noise impacting area residents or wildlife.

e. Air Quality

The applicant has submitted a “Dust Control Plan” compliant with Section 4.7.14 FCSR. A note should be required to be placed on the face of the final plat that requires the owners of all lots abide by the guidelines set forth in the plan during and after site construction and development activities.

The Environmental Assessment states, “The proposed subdivision has direct access to the internal subdivision roads, Wildman Way. Wildman Way accesses Montford Road, both of which are paved roads. Montford is maintained by the County and Wildman Way is maintained by the Knoll Subdivision HOA. With all roads paved, there should not be any issues with air quality.”

Finding #9 – Adverse impacts to air quality and of noise are anticipated to be acceptable with standard conditions as the property is accessed via Wildman Way a paved private road, a Dust Abatement Plan was provided and impacts of noise will be limited during construction.

f. High Voltage Electric Lines/High Pressure Gas Lines

There are no high-pressure gas lines or high voltage electrical lines on the subject property.

g. Airport Influence Areas

The subject property is not within an airport influence area.

Finding #10 – The proposal does not appear to have an impact on high voltage electric lines, high-pressure gas lines or an airport influence area because the property is not located near any of those hazards.

4. Natural Environment

a. Soils

According to NRCS soils data, the soils on the subject property consist of Blanchard very fine sandy loam (Bu), Half Moon silt loam (Ha), Kalispell loam moderately deep over sand (Kp), Kalispell loam moderately deep over sand (Kr), Swims silty clay loam (Sr). According to the soil survey none of the soils account for slopes over 8%, are well drained and has a soil classification of prime farmland.

b. Geologic/Avalanche Hazards

According to the applicant and confirmed by staff on the site visit, the property is located in an area of gently flat terrain with no steep slopes. There appears to be no evidence of unstable soils, rock outcroppings, falls or slides indicating significant geologic hazards is present on the subject property.

The proposed subdivision is not considered prone to avalanche hazards.

Finding #11 – No impacts from geological and avalanche hazards are anticipated because the property is located in an area of relatively flat terrain and there is no evidence of unstable soils, rock outcroppings, falls or slides indicating significant geologic hazards on the property.

c. Flora

According to the Montana Natural Heritage Program, there are nine species of concern for plants. The noted flora include Pygmy Water-lily, Flat leaf Bladderwort both in aquatic habitat, Geyer's Onion, Beaked Spikerush, Water Star-grass, Water Bulrush, Tufted Club-rush, Columbia Water-meal all found in Wetlands, Aquatic, Wetland/Riparian, Fens and Wet meadows. Scorpidium Moss is known in forests. The subject property is currently in agricultural use and relatively flat. As such none of the nine species of concern are present especially since the habituate of the species include wetland areas and forests.

Most noxious weeds thrive when soil is disturbed. Some can grow from root parts, as well as seeds that become exposed. Pursuant to Section 4.7.25 FCSR the subdivision will be required to develop and implement a weed control plan approved by the Flathead County Weeds Department prior to final plat approval.

Finding #12 – Minimal impacts on flora are anticipated because the site does not contain habitat for plant species of concern in the area and a weed management plan shall be approved by the Flathead County Weed Board prior to final plat approval.

d. Riparian/Wetland Areas

The subject property does not contain any surface waters, wetlands or riparian areas.

e. Floodplain

According to FEMA FIRM Panel 30029C1830J, the subject property is mapped as unshaded Zone X. The unshaded Zone X is defined as areas outside of the 0.2% annual chance flood hazard area.

Finding #13 – No impacts to riparian areas, wetlands, or floodplain are anticipated on the subject property as there are no riparian areas, wetlands or floodplain on the property.

f. Wildlife and Wildlife Habitat

As previously stated the property is relatively flat and currently in agricultural production. According to the Montana Heritage Program, there are 12 species of concern and one Special Status Species. The special status species is the Bald Eagle whose habitat is riparian forest. Of the 12 species of concern, The Wolverine, Hoary Bat, Canada Lynx, Fisher, Grizzly Bear, Great Blue Heron and Great Gray Owl reside in riparian and conifer forests. The Westslope Cutthroat Trout, Pygmy Whitefish, and Bull Trout inhabits Mountain streams, rivers and lakes along with the Hooked Snowfly and Alberta Snowfly. None of these habitats are at this location.

The proposed lots on the west side of the subject property and the large acreage of Lot 4 would minimize potential impacts to local wildlife. Most of the property will

likely remain open and it is expected the impact to the habitat will be minimal.

Finding #14 – Impact to wildlife and wildlife habitat and flora is expected to be acceptable because three additional residence will result on the proposed lots, most of the property will likely remain open and a weed management plan is required to be submitted prior to final plat approval per Section 4.7.25 of the Flathead County Subdivision Regulations.

5. Historical Features

The applicant contacted the State Historical Preservation Office (SHPO) which has no record of any historical or culturally significant use on the subject property. There does not appear to be any historic, archeological, or cultural sites on the subject property.

Finding #15 – The proposed subdivision will not adversely impact historical features because there are no known historic, archeological, or cultural sites on the subject property.

B. Compliance with Survey Requirements of 76-3-401 through 76-3-406 M.C.A.

Finding #16 – The preliminary plat would conform to all provisions of the Montana Subdivision and Platting Act if it contains all elements required to meet state survey requirements, which would be determined when it is reviewed by the Flathead County Examining Land Surveyor prior to final plat approval.

C. Compliance with the Flathead County Subdivision Regulations and Review Procedure

1. Requested Variances

No variances have been requested with this application.

2. Flathead County Subdivision Review Procedure

i. Pre-application Conference Date

November 30, 2021

ii. Application Deadline Date (6 months from pre-application)

May 30, 2022

iii. Application Submittal Date

December 3, 2021

iv. Completeness Date

December 9, 2021

v. Sufficiency Date

December 29, 2021

vi. Agency Referral Requests Mailing Date

January 26, 2022

vii. Adjacent Property Notification Mailing Date

February 16, 2022

viii. Legal Notice Publication Date

February 20, 2022

ix. On-site Posting of Public Hearing Date

December 30, 2022

Finding #17 – The proposal has been reviewed as a major subdivision in accordance with statutory criteria and standards outlined in Section 4.4 of the Flathead County Subdivision Regulations effective December 3, 2018.

D. Provision of Easements for the Location and Installation of Planned Utilities

Finding #18 – The preliminary plat identifies adequate easements for utilities to serve the subdivision. All other easements associated with this subdivision and the subdivided property shall be clearly located on the Final Plat to satisfy applicable requirements of the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations.

E. Provision of Legal and Physical Access to Each Parcel

1. **Finding #19** – Wildman Way would provide legal and physical access to the subdivision and individual lots would have access via the internal subdivision road.

F. Review of Applicable Plans

76-1-605(2)(b) M.C.A. states that *A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.* Furthermore, 76-3-608(3) M.C.A. does not contain compliance with the growth policy as a primary criterion by which an individual subdivision proposal must undergo local government review or on which findings of fact are to be based. Review of general conformance with applicable plans is provided as an acknowledgement and consideration of the guidance offered by the information contained in the document(s).

1. **Neighborhood Plan**

The proposed subdivision is not located within a neighborhood plan area.

2. **Flathead County Growth Policy**

The Flathead County Growth Policy is a general policy document that meets the requirements of M.C.A. 76-1-601 and was adopted on October 12, 2012. Regulations adopted by Flathead County used in the review of subdivisions are an implementation of the goals and policies established in the Growth Policy (M.C.A.76-1-606). This proposal conforms to the regulations used in the review of subdivision in Flathead County and is therefore in general compliance with the Flathead County Growth Policy.

G. Compliance with Local Zoning

The proposed subdivision is not zoned.

Finding #20 – The proposal generally complies with the Flathead County Growth Policy and local zoning regulations because the proposed subdivision is not zoned, and the proposal conforms to the regulations used in the review of subdivision in Flathead County.

V. SUMMARY OF FINDINGS

1. The proposed subdivision would have minimal impact on agriculture and agricultural water user facilities because a majority of Lot 4 could still be utilized for agricultural purposes, and does not include, impede or alter access to or movement of agricultural water facilities.
2. The subdivision will have minimal impact on water and wastewater because the subdivision will utilize a multi-user water system and individual septic systems and will be required to be reviewed and permitted by the Montana Department of Environmental Quality. [Condition 5]

3. Impacts on solid waste disposal would be acceptable with standard conditions because the lots within the proposed subdivision would utilize contract haul services for solid waste management. [Conditions 7 & 10d]
4. Impacts on area roads would appear to be acceptable because the proposal will generate 30 additional trips, Wildman Way is a paved road, and the internal subdivision road already exists and is constructed to Flathead County Road and Bridge Department standards. [Condition 16]
5. Impacts on local services with regard to schools, recreation and mail delivery would appear to be acceptable as the proposed subdivision would add approximately three additional lots, the applicant is proposing to utilize a cluster box, cash-in-lieu of parkland dedication will be required prior to final plat approval, and no pedestrian and bicycle path easements will be required. [Conditions 6 & 17]
6. Impacts from storm water run-off will be acceptable because the existing soils are well drained, and the proposed storm drainage calculation and retention areas appear to meet or exceed DEQ requirements. [Conditions 5 & 12]
7. Impacts on fire and medical services would be minimal because the property is mostly open with a few trees located in the center of the lot, and the property is served by the Creston Fire Department. [Condition 2]
8. Impacts on police services would be minimal with standard conditions as the subject property will be served by the Flathead County Sheriff's Department.
9. Adverse impacts to air quality and of noise are anticipated to be acceptable with standard conditions as the property is accessed via Wildman Way a paved private road, a Dust Abatement Plan was provided and impacts of noise will be limited during construction. [Conditions 8 & 10c]
10. The proposal does not appear to have an impact on high voltage electric lines, high-pressure gas lines or an airport influence area because the property is not located near any of those hazards.
11. No impacts from geological and avalanche hazards are anticipated because the property is located in an area of relatively flat terrain and there is no evidence of unstable soils, rock outcroppings, falls or slides indicating significant geologic hazards on the property.
12. Minimal impacts on flora are anticipated because the site does not contain habitat for plant species of concern in the area and a weed management plan shall be approved by the Flathead County Weed Board prior to final plat approval. [Conditions 3 & 10e]
13. No impacts to riparian areas, wetlands, or floodplain are anticipated on the subject property as there are no riparian areas, wetlands or floodplain on the property.
14. Impact to wildlife and wildlife habitat and flora is expected to be acceptable because three additional residence will result on the proposed lots, most of the property will likely remain open and a weed management plan is required to be submitted prior to final plat approval per Section 4.7.25 of the Flathead County Subdivision Regulations.
15. The proposed subdivision will not adversely impact historical features because there are no known historic, archeological, or cultural sites on the subject property.

16. The preliminary plat would conform to all provisions of the Montana Subdivision and Platting Act if it contains all elements required to meet state survey requirements, which would be determined when it is reviewed by the Flathead County Examining Land Surveyor prior to final plat approval. [Condition 11]
17. The proposal has been reviewed as a major subdivision in accordance with statutory criteria and standards outlined in Section 4.4 of the Flathead County Subdivision Regulations effective December 3, 2018. [Condition 14]
18. The preliminary plat identifies adequate easements for utilities to serve the subdivision. All other easements associated with this subdivision and the subdivided property shall be clearly located on the Final Plat to satisfy applicable requirements of the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations. [Condition 13 and 14]
19. Wildman Way would provide legal and physical access to the subdivision and individual lots would have access via the proposed internal subdivision road.
20. The proposal generally complies with the Flathead County Growth Policy and local zoning regulations because the proposed subdivision is not zoned, and the proposal conforms to the regulations used in the review of subdivision in Flathead County.

VI. CONCLUSION

In accordance with the provisions of Section 4.5.7 of the Flathead County Subdivision Regulations, a review and evaluation of the preliminary plat application has been completed by the staff of the Flathead County Planning and Zoning Office. The proposed subdivision appears to generally comply with the subdivision review criteria, pursuant to the Findings of Fact. Should the Planning Board forward a recommendation of approval of this subdivision to the Flathead County Commissioners, Findings of Fact and Conditions of Approval attached should be adopted.

VII. CONDITIONS OF APPROVAL

A. Standard Conditions

1. The developer shall receive physical addresses in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by Flathead County. [Section 4.7.16(g)(iv) and 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The developer shall comply with reasonable fire suppression and access requirements of the Creston Fire Department. A letter from the Creston Fire Department stating that the plat meets the requirements of the Department shall be submitted with the application for Final Plat. [Section 4.7.26(b) FCSR and Finding of Fact (FOF) 7]
3. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved shall be submitted with the final plat. [Section 4.7.25 FCSR and FOF 12]
4. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23 FCSR]

5. The proposed water, wastewater treatment, and stormwater drainage systems shall be reviewed, approved, and permitted as applicable by the Flathead City-County Health Department, and approved by the Montana Department of Environmental Quality. [Sections 4.7.20 and 4.7.21 FCSR and FOF 2 & 6]
6. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the developer has met their requirements shall be included with the application for final plat. [Section 4.7.28 FCSR and FOF 5]
7. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22 FCSR and FOF 3]
8. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14 FCSR and FOF 9]
9. All road names shall be approved by Flathead County and clearly identified, and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c) FCSR]
10. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified, and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c) FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.23 FCSR]
 - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14 FCSR and FOF 9]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR and FOF 3]
 - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25 FCSR and FOF 12]
11. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i) M.C.A. and FOF 16]
12. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality (DEQ) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained prior to any

site disturbance or construction and a copy of the DEQ confirmation letter shall be provided to the Flathead County Planning & Zoning office prior to final plat approval. [17.30.1115 Administrative Rules of Montana (A.R.M.) FOF 6]

13. All required improvements shall be in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16 FCSR and FOF 18]
14. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13 FCSR and FOF 17 & 18]
15. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]
16. With the application for final plat, the developer shall provide a compliant Road Users' Agreement or CC&R document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision. [Section 4.7.15(e), FCSR and FOF 4]

B. Project-Specific Conditions

17. A parkland cash donation in lieu of parkland dedication for the fair market value of 0.19 gross acres (minimum) of land shall be submitted to the County at the time of final plat application. [Section 4.7.24 FCSR and FOF 5]

Planner: LM/EA